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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN JOSE DIVISION

17 CISCO SYSTEMS, INC.,

18 Plaintiff,

19 v.

20 ARISTA NETWORKS, INC.,

21 Defendant.
22

Case No. 5:14-cv-05344-BLF

**DECLARATION OF ELIZABETH
McCLOSKEY IN SUPPORT OF THE
DEFENDANT ARISTA NETWORKS,
INC.'S OPPOSITION TO PLAINTIFF
CISCO SYSTEMS, INC.'S MOTION FOR
PROTECTIVE ORDER**

23 Date: June 28, 2016
Time: 10:00 a.m.
24 Dept.: Courtroom 7 - 4th Floor
Judge: Hon. Nathanael Cousins

25 Date Filed: December 5, 2014

26 Trial Date: November 21, 2016

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DECLARATION OF ELIZABETH McCLOSKEY ISO ARISTA NETWORKS, INC.'S OPPOSITION TO
CISCO SYSTEMS, INC.'S MOTION FOR PROTECTIVE ORDER

Case No. 5:14-cv-05344-BLF

1 I, ELIZABETH McCLOSKEY, declare and state as follows:

2 1. I am an attorney licensed to practice law in the State of California and admitted to
3 practice before this Court. I am an associate at the law firm of Keker & Van Nest LLP and
4 counsel for Defendant Arista Networks, Inc. in the above-captioned action.

5 2. I have personal knowledge of the facts stated herein and, if called as a witness, I
6 could testify competently thereto.

7 3. Attached hereto as Exhibit 1 is a true and correct copy of an article from Network
8 World, "Cisco was surprised by Arista statements: Chambers", dated December 11, 2014.

9 4. Attached hereto as Exhibit 2 is a true and correct copy of a Presentation on Arista,
10 Bates labeled CSI-ANI-00056464 through CSI-ANI-00056464.000062.

11 5. Attached hereto as Exhibit 3 is a true and correct copy of a Chambers ADP
12 Briefing document, dated February 25, 2011, Bates labeled CSI-ANI-00631265 through CSI-
13 ANI-00631270.

14 6. Attached hereto as Exhibit 4 is a true and correct copy of an email from Soni
15 Jiandani to Woody Sessoms, dated March 31, 2014, Bates labeled CSI-CLI-03289891 through
16 CSI-CLI-03289893.

17 7. Attached hereto as Exhibit 5 is a true and correct copy of an email from Soni
18 Jiandani to Woody Sessoms, dated November 21, 2013, Bates labeled CSI-CLI-03270753
19 through CSI-CLI-03270757.

20 8. Attached hereto as Exhibit 6 is a true and correct copy of a Cisco Arista
21 Competitive Program Presentation, dated March 22, 2012, Bates labeled CSI-ANI-00056457
22 through CSI-ANI-00056457.000021.

23 9. Attached hereto as Exhibit 7 is a true and correct copy of an email from Tim
24 Bohlin to Prem Jain, dated May 16, 2014, Bates labeled CSI-CLI-03225919 through CSI-CLI-
25 03225922.

26 10. Attached hereto as Exhibit 8 is a true and correct copy of a Chambers Microsoft
27 Phone Briefing document, Bates labeled CSI-ANI-00631260 through CSI-ANI-00631263.

1 11. Attached hereto as Exhibit 9 is a true and correct copy of Chambers EBay
2 Customer/ Partner Meeting/ Activity document, dated November 12, 2010, Bates labeled CSI-
3 ANI-00631195 through CSI-ANI-00631200.

4 12. Attached hereto as Exhibit 10 is a true and correct copy of a Chambers Customer
5 Call with Microsoft document, dated March 26, 2014, Bates labeled CSI-CLI-03287995 through
6 CSI-CLI-03287997.

7 13. Attached hereto as Exhibit 11 is a true and correct copy of Chambers State Farm
8 Call document, dated July 28, 2014, Bates labeled CSI-ANI-00631521 through CSI-ANI-
9 00631524.

10 14. Attached hereto as Exhibit 12 is a true and correct copy of Yahoo meeting agenda,
11 dated April 4, 2013, Bates labeled CSI-ANI-00631352 through CSI-ANI-00631354.

12 15. Attached hereto as Exhibit 13 is a true and correct copy of an email from Vinti
13 Batiste to Michaela Rodriguez, dated June 19, 2013, Bates labeled CSI-ANI-00631402 through
14 CSI-ANI-00631406.

15 16. Attached hereto as Exhibit 14 is a true and correct copy of an Ascena Retail Group
16 Meeting document, dated August 23, Bates labeled CSI-ANI-00631374 through CSI-ANI-
17 00631377.

18 17. Attached hereto as Exhibit 15 is a true and correct copy of an email from Soni
19 Jiandani to Frank D'Agostino dated March 1, 2014, Bates labeled CSI-CLI-03284373.

20 18. Attached hereto as Exhibit 16 is a true and correct copy of an email from Soni
21 Jiandani to Prem Jain dated June 27, 2014, Bates labeled CSI-CLI-03228214 through CSI-CLI-
22 03228216.

23 19. Attached hereto as Exhibit 17 is a true and correct copy of an email from John
24 Sabasteanski to Dave Malik dated April 26, 2014, Bates labeled CSI-ANI-00091598.

25 20. Attached hereto as Exhibit 18 is a true and correct copy of an email from Dave
26 Sullivan to Soni Jiandani dated February 4, 2014, Bates labeled CSI-CLI-03280578.

27 21. Attached hereto as Exhibit 19 is a true and correct copy of an ADP Meeting
28 document, dated May 18, 2012, Bates labeled CSI-ANI-00631315 through CSI-ANI-00631316.

22. Attached hereto as Exhibit 20 is a true and correct copy of an email from Srinivas Kotamraju to Soni Jiandani dated March 4, 2014, Bates labeled CSI-CLI-03285142.

23. Attached hereto as Exhibit 21 is a true and correct copy of an email from Weird Kid Software to John Hartingh, dated April 2, 2011, Bates labeled CSI-CLI-01574488 through CSI-CLI-01574489.

24. Attached hereto as Exhibit 22 is a true and correct copy of an email from Weird Kid Software to John Hartingh dated April 26, 2011, Bates labeled CSI-CLI-01575595 through CSI-CLI-01575601.

25. Attached hereto as Exhibit 23 is a true and correct copy of an email from Weird Kid Software to John Hartingh dated May 5, 2011, Bates labeled CSI-CLI-01576155 through CSI-CLI-01576156.

26. Attached hereto as Exhibit 24 is a true and correct copy of an email from Weird Kid Software to Stephanie Carullo dated April 15, 2011, Bates labeled CSI-CLI-01575063 through CSI-CLI-01575064.

27. Attached hereto as Exhibit 25 is a true and correct copy of an email from Weird Kid Software to JP Van Steerteghem, dated April 29, 2011, Bates labeled CSI-CLI-01575869 through CSI-CLI-01575870.

28. Attached hereto as Exhibit 26 is a true and correct copy of an email from Weird Kid Software to Tim Bohlin dated June 23, 2011, Bates labeled CSI-CLI-01588642.

29. Attached hereto as Exhibit 27 is a true and correct copy of an email from Drago Sijan to Leonardo Boulton dated February 28, 2014, Bates labeled CSI-ANI-00417560 through CSI-ANI-00417561.

30. Attached hereto as Exhibit 28 is a true and correct copy of excerpts from the deposition transcript of Soni Jiandani, taken April 29, 2016.

31. Attached hereto as Exhibit 29 is a true and correct copy of a Barron's article, "Building the Cloud: Who Wins, Who Loses", dated October 14, 2013, Bates labeled ANI-ITC-944_945-3914820 through ANI-ITC-944_945-3914822.

32. Attached hereto as Exhibit 30 is a true and correct copy of an email from Christ Dedicoat to Jim Walsh, dated November 21, 2013, Bates labeled CSI-CLI-03270747 through CSI-CLI-03270750.

33. Attached hereto as Exhibit 31 is a true and correct copy of excerpts from the deposition transcript of Andrew Pletcher, taken May 26, 2016.

34. Attached hereto as Exhibit 32 is a true and correct copy of excerpts from the deposition transcript of Doug Gourlay, taken May 20, 2016.

35. Attached hereto as Exhibit 33 is a true and correct copy of an USA Today Article, “Cisco’s Chambers: 2 days with man on a mission at CES”, dated January 9, 2013.

36. Attached hereto as Exhibit 34 is a true and correct copy of an email from Weird Kid Software to Raju Rajan dated June 23, 2011, Bates labeled CSI-CLI-01588645 through CSI-CLI-01588654.

37. Attached hereto as Exhibit 35 is a true and correct copy of Cisco's Supplemental Objections and Responses to Defendant Arista Network's Interrogatory No. 15, served on June 7, 2016.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed on June 7, 2016, in San Francisco, California.

/s/ Elizabeth McCloskey
ELIZABETH MCCLOSKEY